

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0690.01 Christy Chase x2008

SENATE BILL 19-001

SENATE SPONSORSHIP

Garcia,

HOUSE SPONSORSHIP

(None),

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING THE EXPANSION OF THE MEDICATION-ASSISTED
102 TREATMENT EXPANSION PILOT PROGRAM, AND, IN CONNECTION
103 THEREWITH, SHIFTING ADMINISTRATION OF THE PROGRAM
104 FROM THE COLLEGE OF NURSING TO THE CENTER FOR
105 RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION,
106 TREATMENT, AND RECOVERY SUPPORT STRATEGIES; EXPANDING
107 THE COUNTIES THAT MAY PARTICIPATE IN THE PROGRAM;
108 EXTENDING THE DURATION OF THE PROGRAM; AND INCREASING
109 THE FUNDING FOR THE PROGRAM.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In 2017, the general assembly enacted Senate Bill 17-074, which created a 2-year medication-assisted treatment (MAT) expansion pilot program, administered by the university of Colorado college of nursing, to expand access to medication-assisted treatment to opioid-dependent patients in Pueblo and Routt counties. The 2017 act directs the general assembly to appropriate \$500,000 per year for the 2017-18 and 2018-19 fiscal years from the marijuana tax cash fund to the university of Colorado board of regents, for allocation to the college of nursing to implement the pilot program. The pilot program repeals on June 30, 2020.

The bill:

- Expands the pilot program to the counties in the San Luis valley and 2 additional counties in which a need is demonstrated;
- Shifts responsibility to administer the pilot program from the college of nursing to the center for research into substance use disorder prevention, treatment, and recovery support strategies;
- Adds representatives from the San Luis valley and any other counties selected to participate in the pilot program to the advisory board that assists in administering the program;
- Increases the annual appropriation for the pilot program to \$5 million for the 2019-20 and 2020-21 fiscal years; and
- Extends the program an additional 2 years.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 23-21-802, **add** (2)
3 as follows:

4 **23-21-802. Legislative declaration.** (2) THE GENERAL ASSEMBLY
5 FURTHER FINDS THAT:

6 (a) SINCE ITS CREATION, THE PILOT PROGRAM HAS ACHIEVED
7 NUMEROUS SUCCESSES TOWARD PROGRAM GOALS AS FOLLOWS:

8 (I) WITH REGARD TO THE PROGRAM GOAL OF INCREASING THE
9 NUMBER OF ADVANCED PRACTICE PROVIDERS ABLE TO PRESCRIBE
10 MEDICATIONS TO TREAT INDIVIDUALS WITH OPIOID USE DISORDERS IN

1 PUEBLO AND ROUTT COUNTIES:

2 (A) TWO MEDICATION-ASSISTED TREATMENT (MAT) PROGRAMS
3 IN PUEBLO COUNTY WERE SELECTED TO RECEIVE FUNDING AND ONE MAT
4 PROGRAM WAS STARTED IN ROUTT COUNTY;

5 (B) AS OF AUGUST 2018, FOUR PROVIDERS CERTIFIED TO
6 PRESCRIBE MAT MEDICATIONS WERE ADDED TO THE TWO MAT
7 PROGRAMS IN PUEBLO COUNTY AND SIX MAT MEDICATION-CERTIFIED
8 PRESCRIBERS ARE AVAILABLE IN THE ROUTT COUNTY PROGRAM; AND

9 (C) THROUGH JULY 1, 2018, FIFTY PROVIDERS RECEIVED
10 EDUCATION ON OPIOID USE DISORDERS AND RELATED ISSUES IN
11 ASSESSMENT AND TREATMENT; AND

12 (II) WITH REGARD TO THE PROGRAM GOAL OF INCREASING ACCESS
13 TO MAT SERVICES IN PUEBLO AND ROUTT COUNTIES:

14 (A) PUEBLO COUNTY INCREASED MAT SERVICES FROM A TOTAL
15 OF NINETY-NINE CLIENTS TREATED THROUGH ITS TWO MAT PROGRAMS IN
16 2017 TO FIVE HUNDRED SEVENTY-SIX CLIENTS TREATED THROUGH THE
17 TWO PROGRAMS THROUGH OCTOBER 2018; AND

18 (B) ROUTT COUNTY HAD VERY LIMITED MAT SERVICES
19 AVAILABLE IN 2017 AND, THROUGH OCTOBER OF 2018, PROVIDED MAT
20 SERVICES THROUGH ITS NEW MAT PROGRAM TO FIFTY CLIENTS;

21 (b) GIVEN THE SUCCESSES OF THE PROGRAM IN EXPANDING ACCESS
22 TO MAT SERVICES IN PUEBLO AND ROUTT COUNTIES, THE PILOT PROGRAM
23 SHOULD BE EXTENDED AND MADE AVAILABLE TO ADDITIONAL AREAS OF
24 THE STATE THAT ARE EXPERIENCING SIGNIFICANT PUBLIC HEALTH
25 CONCERNS DUE TO THE PREVALENCE OF OPIOID ADDICTION AND OVERDOSE
26 INCIDENCES AND INADEQUATE NUMBERS OF PROVIDERS;

27 (c) IN THE SAN LUIS VALLEY, WHICH HAS APPROXIMATELY FIFTY

1 THOUSAND RESIDENTS AND CONSISTS OF THE COUNTIES OF ALAMOSA,
2 CONEJOS, COSTILLA, CUSTER, HUERFANO, MINERAL, RIO GRANDE, AND
3 SAGUACHE, OPIOID OVERDOSES HAVE BEEN INCREASING SINCE 2010, WITH
4 RECENT REPORTS OF MORE THAN TEN OVERDOSES PER ONE HUNDRED
5 THOUSAND IN POPULATION YEARLY IN EACH OF THE COUNTIES IN THE
6 VALLEY;

7 (d) HUERFANO COUNTY, WHICH HAS ABOUT SIX THOUSAND SIX
8 HUNDRED RESIDENTS, HAD SIX OVERDOSE DEATHS IN 2016, A RATE OF
9 152.6 PER ONE HUNDRED THOUSAND IN POPULATION, WHICH WAS THE
10 HIGHEST OVERDOSE RATE FOR ANY COUNTY IN THE STATE;

11 (e) MANY OTHER COUNTIES IN THE STATE ARE ALSO EXPERIENCING
12 HIGH INCIDENCES OF OVERDOSE AND LACK AVAILABLE, QUALIFIED
13 PROVIDERS TO MEET THE ADDICTION TREATMENT NEEDS IN THE COUNTY;

14 (f) GIVEN THE PREVALENCE OF OPIOID OVERDOSES IN THE SAN
15 LUIS VALLEY AND OTHER AREAS OF THE STATE, IT IS NECESSARY TO
16 EXTEND THE PILOT PROGRAM ESTABLISHED PURSUANT TO THIS PART 8 FOR
17 AN ADDITIONAL TWO YEARS, EXPAND ITS AVAILABILITY TO CRITICAL-NEED
18 AREAS OF THE STATE, AND INCREASE ITS FUNDING IN ORDER TO INCREASE
19 ACCESS TO ADDICTION TREATMENT IN THESE AREAS WHERE OPIOID
20 ADDICTION AND OVERDOSE INCIDENCES ARE AT SIGNIFICANT LEVELS.

21 **SECTION 2.** In Colorado Revised Statutes, 23-21-803, **add** (1.5)
22 and (10) as follows:

23 **23-21-803. Definitions.** As used in this part 8, unless the context
24 otherwise requires:

25 (1.5) "CENTER" MEANS THE CENTER FOR RESEARCH INTO
26 SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY
27 SUPPORT STRATEGIES ESTABLISHED PURSUANT TO SECTION 27-80-118.

1 (10) "SAN LUIS VALLEY" MEANS THE COUNTIES OF ALAMOSA,
2 CONEJOS, COSTILLA, CUSTER, HUERFANO, MINERAL, RIO GRANDE, AND
3 SAGUACHE.

4 **SECTION 3.** In Colorado Revised Statutes, 23-21-804, **amend**
5 (1)(b), (3), and (4) as follows:

6 **23-21-804. Medication-assisted treatment expansion pilot**
7 **program - created - pilot program location - eligible grant recipients**
8 **- rules.** (1) (b) The MAT expansion pilot program is available to provide
9 grants to community agencies, office-based practices, behavioral health
10 organizations, and substance abuse treatment organizations practicing or
11 providing treatment in Pueblo county or Routt county, AND, STARTING IN
12 THE 2019-20 FISCAL YEAR, THE SAN LUIS VALLEY AND UP TO TWO
13 ADDITIONAL COUNTIES SELECTED BY THE CENTER FOR PARTICIPATION
14 BASED ON DEMONSTRATED NEED.

15 (3) The ~~college of nursing~~ CENTER shall administer the MAT
16 expansion pilot program and, subject to available appropriations, shall
17 award grants as provided in this part 8. ~~starting as soon as practicable in~~
18 ~~the 2017-18 fiscal year, but no later than January 2018.~~ Subject to
19 available appropriations, grants shall be paid out of money annually
20 appropriated for the pilot program as provided in section 23-21-808.

21 (4) The ~~college of nursing~~ CENTER shall implement the MAT
22 expansion pilot program in accordance with this part 8 and shall develop,
23 with assistance from and in coordination with the advisory board, pilot
24 program guidelines and procedures as necessary to implement the pilot
25 program, including guidelines and procedures specifying the time frames
26 for applying for grants; the form of the pilot program grant application;
27 the time frames for distributing grant money, technical assistance, and

1 consultation to grant recipients; and evaluation of the pilot program.

2 **SECTION 4.** In Colorado Revised Statutes, 23-21-805, amend
3 (1), (2)(a)(III), and (2)(b) as follows:

4 **23-21-805. MAT expansion advisory board - created - duties.**

5 (1) There is hereby created in the ~~college of nursing~~ CENTER the MAT
6 expansion advisory board, which shall:

7 (a) Review and approve pilot program guidelines and procedures;

8 (b) Advise and provide assistance to the ~~college of nursing~~
9 CENTER on the implementation of the pilot program;

10 (c) Review and make recommendations to the ~~college of nursing~~
11 CENTER on grant applications, including recommendations for grant
12 award amounts;

13 (d) Assist the ~~college of nursing~~ CENTER in evaluating the pilot
14 program; and

15 (e) Perform other tasks, as requested by the ~~college of nursing~~
16 CENTER, related to the implementation and administration of the pilot
17 program.

18 (2) (a) The advisory board consists of representatives of the
19 following entities or organizations who are designated by the entity or
20 organization:

21 (III) The Colorado consortium for prescription drug abuse
22 prevention, administered under the ~~school of pharmacy and~~
23 ~~pharmaceutical sciences~~ CENTER at the university of Colorado Anschutz
24 medical campus;

25 (b) In addition to the members specified in subsection (2)(a) of
26 this section, ~~at least one medical or public health professional from each~~
27 ~~county~~ REPRESENTATIVES FROM COUNTIES PARTICIPATING in the pilot

1 program area, appointed as follows, shall serve on the advisory board:

2 (I) The Northwest Colorado Community Health Partnership in
3 Routt county shall appoint a medical or public health professional from
4 Routt county; and

5 (II) The Pueblo county heroin task force shall appoint a medical
6 or public health professional from Pueblo county;

7 (III) VALLEY-WIDE HEALTH SYSTEMS, INC., SHALL APPOINT A
8 MEDICAL PROFESSIONAL FROM THE SAN LUIS VALLEY;

9 (IV) THE SAN LUIS VALLEY AREA HEALTH EDUCATION CENTER
10 SHALL APPOINT A MEDICAL OR PUBLIC HEALTH PROFESSIONAL FROM THE
11 SAN LUIS VALLEY;

12 (V) THE COLORADO ASSOCIATION OF LOCAL PUBLIC HEALTH
13 OFFICIALS SHALL APPOINT A PUBLIC HEALTH PROFESSIONAL FROM THE
14 SAN LUIS VALLEY; AND

15 (VI) IF ADDITIONAL COUNTIES ARE SELECTED TO PARTICIPATE IN
16 THE PILOT PROGRAM, THE CENTER SHALL DETERMINE THE APPOINTING
17 AUTHORITY FOR AND TYPE OF PROFESSIONAL FROM EACH PARTICIPATING
18 COUNTY.

19 **SECTION 5.** In Colorado Revised Statutes, 23-21-806, **amend**
20 (1) introductory portion, (1)(a), (1)(f), (2) introductory portion, (2)(d), and
21 (3); and **add** (1)(a.5) and (2)(a.5) as follows:

22 **23-21-806. Grant application - criteria - awards.** (1) To receive
23 a grant, an eligible organization or practice must submit an application to
24 the ~~college of nursing~~ CENTER in accordance with pilot program
25 guidelines and procedures established by the ~~college of nursing~~ CENTER.
26 At a minimum, the application must include the following information:

27 (a) ~~The purpose for which the applicant will use the grant A~~

1 SPECIFIC DESCRIPTION OF THE NEED IN THE COUNTY SERVED BY THE
2 APPLICANT, INCLUDING DATA ON THE PREVALENCE OF OPIOID ADDICTION,
3 THE OVERDOSE RATE, AND THE PROVIDER CAPACITY IN THE COUNTY;

4 (a.5) THE PURPOSE FOR WHICH THE APPLICANT WILL USE THE
5 GRANT;

6 (f) A description of how the applicant will achieve improved
7 access to medication-assisted treatment in the pilot program area THE
8 APPLICANT SERVES;

9 (2) The advisory board shall review the applications received
10 pursuant to this section and make recommendations to the college of
11 nursing CENTER regarding grant recipients and awards. In recommending
12 grant awards and in awarding grants, the advisory board and the college
13 of nursing CENTER shall consider the following criteria:

14 (a.5) THE DEMONSTRATED NEED IN THE AREA SERVED BY THE
15 APPLICANT;

16 (d) The written commitment of the applicant to have nurse
17 practitioners or physician assistants participate in periodic consultations
18 with college of nursing CENTER staff; and

19 (3) Subject to available appropriations, in the 2017-18 and
20 2018-19 2019-20 AND 2020-21 fiscal years, the college of nursing CENTER
21 shall award grants to applicants approved in accordance with this section
22 and shall distribute the grant money to grant recipients within ninety days
23 after issuing the grant awards.

24 **SECTION 6.** In Colorado Revised Statutes, 23-21-807, amend
25 (1) introductory portion, (2) introductory portion, (2)(a), and (2)(b) as
26 follows:

27 **23-21-807. Reporting requirements.** (1) Each organization or

1 practice that receives a grant through the pilot program shall submit an
2 annual report to the ~~college of nursing~~ CENTER by a date set by the ~~college~~
3 ~~of nursing~~ CENTER. At a minimum, the report must include the following
4 information:

5 (2) On or before June 30, 2018, and on or before EACH June 30
6 ~~2019~~ THROUGH JUNE 30, 2021, the ~~college of nursing~~ CENTER shall submit
7 a summarized report on the pilot program to the health and human
8 services committee of the senate and the health AND insurance ~~and~~
9 ~~environment~~ and THE public health care and human services committees
10 of the house of representatives, or any successor committees, and to the
11 governor. At a minimum, the report must include:

12 (a) A description of the pilot program, INCLUDING A LIST OF
13 COUNTIES PARTICIPATING IN THE PILOT PROGRAM;

14 (b) A list identifying the grant recipients, including the amount
15 awarded to each grant recipient, THE COUNTY IN WHICH THE GRANT
16 RECIPIENT IS PROVIDING SERVICES, and a detailed description of how each
17 grant recipient used the grant award;

18 **SECTION 7.** In Colorado Revised Statutes, **amend** 23-21-808 as
19 follows:

20 **23-21-808. Funding for pilot program.** (1) (a) For the ~~2017-18~~
21 ~~and 2018-19~~ 2019-20 AND 2020-21 state fiscal years, the general
22 assembly shall annually appropriate five ~~hundred thousand~~ MILLION
23 dollars per fiscal year from the marijuana tax cash fund created in section
24 39-28.8-501 to the board of regents of the university of Colorado, for
25 allocation to the ~~college of nursing~~ CENTER to implement AND
26 ADMINISTER the MAT expansion pilot program. The ~~college of nursing~~
27 CENTER may use a portion of the money annually appropriated for the

1 pilot program to pay the direct and indirect costs that the ~~college of~~
2 ~~nursing~~ CENTER incurs to administer the pilot program, as well as to
3 provide consulting services to and oversight of grant recipients, for data
4 collection and analysis, evaluation of the pilot program, and program
5 reporting.

6 (b) If any unexpended or uncommitted money appropriated for the
7 ~~2017-18~~ A fiscal year remains at the end of that fiscal year, the ~~school of~~
8 ~~nursing~~ CENTER may expend the money in accordance with this section
9 in the ~~2018-19~~ SUCCEEDING fiscal year. Any unexpended or uncommitted
10 money remaining at the end of the ~~2018-19~~ 2020-21 fiscal year reverts to
11 the marijuana tax cash fund.

12 (2) The ~~college of nursing~~ CENTER may accept and expend any
13 gifts, grants, or donations it receives to implement or administer the pilot
14 program.

15 **SECTION 8.** In Colorado Revised Statutes, **amend** 23-21-809 as
16 follows:

17 **23-21-809. Repeal of part.** This part 8 is repealed, effective June
18 30, 2020 2022.

19 **SECTION 9. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.